

G. R. S. IX-5]

Previous references.

File No. 181-16.

1916.

Serial Nos. 1-4.

(*Muzrai*)

Later references.

May 345-31-1-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4.

Part B for *May 17.*

SUBJECT.

*Worship of certain temples in
Holenarasipura.*

To, *Sy. Commr. Hassan Dist. No 2814. D. 11-5-17.*

*Forwards him a copy of the final order
passed in the case dismissing the appeal
& requests him to see if a more satisfactory
arrangement cannot be made as regards the
worship in the institutions concerned*

No 2815. Copy to return rejecting his appeal

W D 88-GPB-50,000-24.7.16

No 2816. Copy to Comptroller

*D. R. Appadurai.
Pr-VII. D. 16. 6*

GENERAL AND REVENUE SECRETARIAT.

(*Muzna*)

NOTES.

181-16
File No. ~~163~~ 16

FILE HEADING.

*Anchakship of certain Temples in
Holenarasipura.*

From

*Anchal Namaswami Khanna.*No. *Petition* Dated — Received *23.8.1816*

Diary No. <i>280</i>	Enclos. <i>2</i>	Spare Copies. <i>-</i>	Serial No <i>1</i>
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BRIEF ABSTRACT OF LETTER.

*Appeals against the Dy. Commis. order
making certain arrangements for the
conduct of worship in Sri chaturbhuj
Pattabhi Namaswami Temple and other
Temples at Holenarasipura*

NOTES AND ORDERS.

*The appeal is within time, and the petition
is duly stamped. It may be admitted.*

*The Dy. Commis. order (conveyed through
the Taluk Amildar) directs that as per*

Serial
No.

Statements given before the Taluk Office on 12.12.1889, The worship in (1) Sri Lakshminarasimha Swami Temple, (2) Sri Chaturbhujia Pattabhirama Swami Temple, and (3) minor Temples, should be conducted in annual rotation by the aplt Ramaswami Bhatta, respt Nama Bhatta and one Narasimha Bhatta, and that this arrangement should be given effect to from Sravana Suddha Padya of Nava Purnamasa.

In the Tasdik Patti of Sri Pattabhi Ramaswami Temple, Ramaswami Bhatta (aplt) is mentioned as Anchak, and Nama Bhatta (respt), as the Parpathagari. Of this Temple as well as that of Sri Nilakhanthaswara Swami Temple.

The aplt states that the Tasdik Patti referred to prepared in October 1897 (some 9 years after the arrangement of December 1889 cited in the Dy. Commr's order) confers the Anchakship on him, of Pattabhiramaswami Temple and that the arrangement was confirmed in the registered partition deed of 24.6.92 probably between the aplt, and his cousins - respt Nama Bhatta and Narasimha Bhatta.

(not produced)

Serial
No.(x Jashin Mutt
not readily traceable)

And that his cousins have the Jagat^x
of Sri Lakshminarayana Swami
Temple at the place. He therefore
prays that on a perusal of the
records, the order appealed against
may be cancelled, and that pending
the disposal of his appeal by Govt.,
the execution of the Dy. Commr's
order may be stayed

Submitted for orders as to whether a report with

M 1240 records may be called for and the
265 Dy. Commr requested to stay
execution of his order -

89
20/8

In the circumstances of the
case the execution of the Dy. Commr's
order may be stayed pending the
disposal of the appeal

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2nd member

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29.8.16

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2. 8. 16

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2/9/16

Submitted with AFS

M 1240
4.9.16

7.5.16

Serial
No.

2

no: 663 of 7.9.16, to Dy Comm^r
of Hassan, for the above for
report.

no 664 of 7.9.16, to the Petiⁿ,
informs the above to him

3. *Jan* Now, the Dy Comm^r, Hassan Dis^t.
Letter no 227 of 26.1.1917.

Submit report with records
called for in Sl. 2.

The Dy. Comm^r's report explains
the facts of the case clearly,
If directed, the case will be posted
to the 3^d march next, notices being
issued to the apt^t Nana Suman Bhatta
and the respondent Nana Bhatta.

Submitted for orders

M (G)
10.2.1917 12/2/17

Jan. 12

12 2

Subm. with off. notices.

M (G)
12.2.17 13/2/17 app^r

13.2.17

F.R. S. III-2]

General and Revenue
Secretariat.

File No.

187

of 1916.

Serial
No.

The temples of Chaturbija Pattabhi'Basaswami and Nilakantheswami are Muzrai institutions endowed with extensive lands in the Holenarasipu Taluk. They were originally under the control and management of the Swami of Sri Yogananda Math.

Pg 91)

In 1874 owing to the neglected condition of the temples, they were taken under govt. management with the endowed properties. In 1889 they were restored to the Math management. In 1897 owing to mismanagement the institutions were again taken under govt. control and this arrangement continues still.

The present case relates to the Anubhokship of Pattabhi'Basaswami temple. There are three claimants viz Basaswami (applt.) Rama Shetty (Opplt.) Narasimha Shetty. The relationship is admitted. Rama Shetty the adoptive father of the applt. appears to have been the original Basaswami Anubhok and after his death Basaswami Shetty was appointed. When place however this may be an arrangement. was come to

G. R. S. III-2]

General and Revenue
Secretariat.

File No.

187

of 1916

Serial
No.

81)

in 1889 that the worship should be performed by turns according to the order of the Mayan office and acquired by the parties. This was immediately before the order of Govt. restoring the management to the temple.

+991)

When however the institutions were again taken under Govt. control in 1896 and a scale of expenditure fixed in 1897, Narayanaswami Bhatte (K.) was shown as the sole Archak while Narayana Bhatte was shown as Paspathegar of the temple. There is nothing to show how this arrangement came about. The original land deed was based upon titles submitted by Narayana Bhatte himself styling himself as chief Paspathegar. It is not unlikely that Narayana Bhatte still continues to be Paspathegar and obviously he cannot also be an Archak.

(vide copy)

The partition of 1902 also ~~shows~~ gives the Archakship of this temple to the appellant. The agreement is not one that can be enforced on the executive side and was rightly rejected by the Commission. But it seems to have been unnecessary to go back to the order

G. R. S. III-2]

General and Revenue
Secretariat.

File No.

187

of 191

6

Serial
No.

1889 omitting the sanctioned scale of
1897. There is nothing to show that this
was not acted upon or that the endowments
said to have been drawn by Narayana Bhatte
and Narasimha Bhatte for certain period
were in virtue of their own right as
Basavard and others.

Can the position of
Narayana Bhatte as Narasimha Bhatte or other
same time Temple requires explanation.

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Can heard. Subl for orders

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R. S. III-2]

General and Revenue
Secretariat.

File No. 181 of 1916

Serial
No.2809
20.4.17

A perusal of the record makes it clear that the rights of worship in all the temples comprised in the group belong to three castes ^{with} whom an effort to one the Rastha Kharana Bhellu & one Kharana Mulla ^{has} been made. So far back as 1890, a dispute arose between the three castes & it has been decided that the worship in the several temples should be conducted by these castes by turns of one year each, & the right to the same belongs to all equally. No arrangement was made until 1914 when a similar dispute amongst them arose on the point that certain requirements be fulfilled and each in its turn should be within of a Rastha - but this was never decided in 1902 but has been since then of an effort. ~~He~~ ^{he} ~~has~~ ^{has} notice of his document as it is a purely private arrangement not recognized by the authorities at the time.

Thus, the movement, now underway, is in the name of an effort to be made of the Rasthas that in the absence of the Rastha that there are no rules for the worship of these temples & by the Rasthas, however, the Rasthas

R. S. III-2]

General and Revenue
Secretariat.

File No.

181 of 1916

Serial
No.

Caution given to the. On the 1st
last, the very. baronet shows un-
-intentionally that the baronet's estate
to the office of the baronet have been paid to
all the baronet's estate in the years
1877 & 1911. And the office has also
deposited before the baronet on 16-10-1914
that in two cases there are no, and
without in the office.

In the circumstances, the office
has not been able to last & the office
must fail.

It must be known to the baronet
that the baronet's estate, which
he has been to change their duties
of the baronet's estate in the office of the baronet.
- but is required in the office of the baronet to be
most unacceptably one. and the baronet's estate
is required to be of a baronet's estate,
creeping) with the baronet's estate
substantially to be paid by the baronet's estate
individual of the baronet's estate
to be paid by the baronet's estate
and the baronet's estate is required to be paid by the baronet's estate
members.

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R. S. III-2]

General and Revenue
Secretariat.

File No.

181

of 1916

Serial
No.

Subm. with a Dth. order and an
order to the parties.

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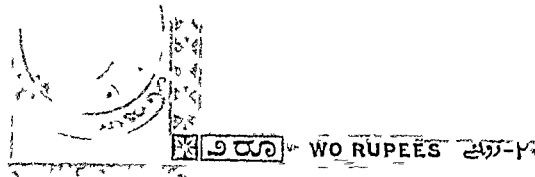
4/5/17

4

no: 2814 d 11.5.17, I d by Hassan
I d him a copy of the final order
passed in the case, dismissing the
appeal & requests him to see if a more
satisfactory arrangement than
what obtains at present, can not
be regulated as regards the workshop
in the Dth's concerned

no: 2815 d 11.5.17, I the below
reject his appeal below as I d see
no sufficient reason to modify
the order already passed in the case.

no-2816 d 11.5.17, I the created
below Hassan Chakka, I d a copy
of the above.



For VII.
a stay order is
also prayed for and
issued in clear and
early
23.8.18

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE.

Muzarai Department.

DEPT. No. 380

18/6/17

SECTION *new*

FILE NO. 463-16
18/

Petitioner. Ramaswami Bhatta, alias Ramabhatta ,
son of Shamabhatta, Archik of Chaturbhuj
Pattabi Ramaswami Temple, Residence
Hole Narasipur.

Opponent. Narana Bhatta, son of Alasinga Bhatta,
Parpathegar of Chaturbhujapattabi
Ramaswami Temple, Residence Hole -
Narasipur.

The petitioner above named begs to state as follows:-

1. That the hereditary Archikship of Sri Lakshmi-narasimha Swami, Sri Chaturbhuj Pattabi Ramaswami, Sri Raghunatha Swami , Sri Ranganatha Swami and of Anjenya Devaru, belongs to the ancestors of the petitioner.

2. That about the year 1890 or so, under the orders of Government, the Thastik of the temples throughout the Province under the control of the Muzarai Department was prepared and after careful enquiry was finally

accepted

accepted by the Government.

3. That according to the procedure above stated, in the Thastik pertaining to these particular temples, that of Chaturbhuja Pattabi Ramaswamy's archikship, ^{*} came to the petitioner. The other cousins of the petitioner, namely, Narasimha Bhatt, Naranabhatt, have the Thastik of Lakshminarasimha Swami temple.

Flag D.
(Part)

4. That this arrangement was further confirmed in the registered partition~~g~~ deed dated 24th August 1902.

5. That since the revision of the Thastik Patti, the petitioner has uninterruptedly being in possession and enjoyment of the archikship of Chaturbhuja Pattabi Ramaswami temple.

6. That the divided cousin of the petitioner Narana Bhatta is the Parpathegar of this temple.

7. That owing to want of cordiality between the petitioner and the said Narana Bhatta, the latter appears to have moved the Local and District Muzarai Officers and got an exparte order in his favour, that the right of archikship of Lakshminarasimha Swami and Pattabi Ramaswami temples should be enjoyed by the petitioner, Narana Bhatta and Narasimha Bhatta in rotation, alleging that this rotation was fixed by a certain arrangement of the year 1889.

8. That the petitioner is not aware of the arrangement of 1889 as he was then a minor and there was no competent person of independent position in the family who could have acted in a way so as to secure the petitioner's rights. Even if it be conceded, for the sake of argument, that there was such an arrangement, it was revised in the Thastik Patti, prepared under the orders of Government, to which the

contending

contending parties gave their assent. That in pursuance of this assent, the arrangement of 1889 came to an end; consequently Narana Bhatta and others lost their right, if any, in the old order of things.

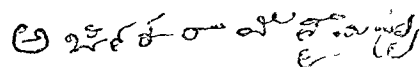
9. That the Local and the District Muzarai Officers may not have looked into the earlier records of the case or those records may not have been brought to their notice. Had a proper representation been put before them, they would not have passed an order adversely to the petitioner, prejudicing his vested rights and contrary to the express orders of Government.

10. That in the above circumstances the order passed by the District Muzarai Office is ultra vires and the petitioner therefore prays that it may be set aside.

11. That in the order now under appeal, there is peremptory direction to the petitioner to hand over charge of Chaturbhuja Pattabi Ramaswami's archikship to the said Narana Bhatta. The petitioner therefore begs that a direction may be given to the Local Officer of Hole Narasipur to stay the carrying into effect of the order appealed from pending the disposal of the appeal.

B a n g a l o r e,

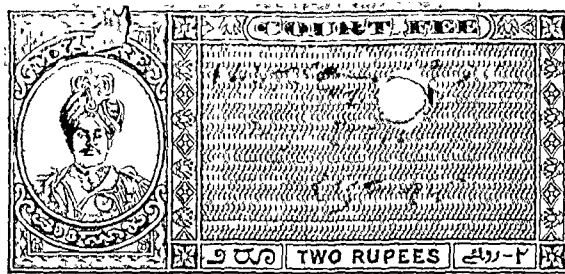
Dated 23 August 1916.



P e t i t i o n e r.

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Before the Government of H. H. the Maharaja of Mysore
In the Court of

Suit No. of 190

Plaintiff Petitioner : Kamawami Shaita

VERSUS

Defendant Opponent : Naraula

Kamawami Shaita the Petitioner above named do hereby
nominate and appoint Mr. C SHESHACHAR, B.S.C., L.L.B., to be my Advocate in the
above suit, and I do hereby empower my said Advocate to appear for me and on my behalf in
the above suit; to take all and any steps which may be necessary on my behalf arising out of,
or in connection with the above suit, either during its progress or after its decision, to sign,
and subscribe his name to any document which he may deem proper; to receive out of the
said Court any sum of money which may be lodged or become payable or receivable on my
behalf, and on receipt thereof to grant receipts or other sufficient discharges for the same; to
withdraw, compromise, or refer to arbitration the said suit, to appoint one or more substitute
or substitutes, and to act and perform all other matters and things relating to or connected
therewith, to represent me in all matters relating to the same and to act in the premises as
fully and effectually to all intents and purposes, as I might do if personally present and did the
same. And I do hereby agree to pay all Fees, Costs, Charges and Expenses which may be
incurred and to allow ratify and confirm all and singular whatsoever my said Advocate shall
lawfully do or cause or procure to be done in the premises by virtue of these presents

In witness whereof I have hereunto set my hand this 23rd day of

August 1906.

"Accepted."
Prinivasa murthi

Advocate

Signed before me by the executant who is known to me.

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Advocate.

Prinivasa murthi

Advocate

G. R. S. 26]

SUBJECT..... *Inman's* report with records
appeal petition of *Namaswamy*
Bhatta of *Holenarasipura*.

Diary No. of letter replied to *390*

Section *Invz*
File No. *463*
Serial No. *16*
2

General and Revenue Secretariat

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, the 191 . }

No. 663 Enc 3

Date of issue *7. 9. 1916.*

To

The Dy Commissioner,

Signed by *M. G. Narayanaswamy* *Hassan District,*

Sir,

I am directed to
forward herewith your
report with records,
petition registered no.
390 of 23rd August 1916
from Achak Namaswamy
Bhatta of Holenarasipura
appealing against the
Dy Commr's order directing

that the right of ~~Suchakshup~~
of Sni ~~Pattebhisanar~~
~~Lakshminarayana Srinivas~~
Certain
Sreanik and those temples at the place
should be enjoyed in rotation
by the aplt, respt and Narasimha
Pratapa, and to request that
the execution of the Dy
Commr's order may be
stayed pending the
disposal of the appeal.

I have etc.

lie
7.9.16

In feul. Secretary.

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~~deciding~~ that the
appellant must
have no charge
with respect and

List of enclosures.

Copied by

Examined by

2163 N^o 664 Date 7 September 1916
 163-16-2

G.R.S. 27]

GENERAL AND REVENUE
 SECRETARIAT.

(Continuation Sheet draft form.)

మృత్యువును నవరశ్వంబు
 గుర్రం వేస్తే బోరియం బరకవేరి
 యుండు.

దీనిని గురించి మరదలును
 గుర్రం వేసినా మృత్యువును
 గుర్రం వేస్తే బరకవేరి

మృత్యువును నవరశ్వంబు
 గుర్రం వేస్తే బోరియం బరకవేరి
 యుండు. 23-8-1916

నామ విజయవరము
 లింగం గురించి మృత్యువును
 గుర్రం వేస్తే బరకవేరి
 యుండు. 23-8-1916

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GEN. No. 1238
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From

G. Venkata Rao Esquire, B.A.,
Offg. Deputy Commissioner,
Hassan District.

To

D. M. Narasinga Rao Esquire, B.A., B.L.
Secretary to the Government of
H.H. the Maharaja of Mysore,
General Department,
Bangalore.

Dated 22nd January 1917.

Despatched 26/1

Received

General No. C 227
No. S.

Enclosure No. Two V. P. files

S U B J E C T.

Reporting upon the appeal
petition of Arelik Ramakrishna
Shastri regarding the Arelikship;
of the Chakumbhaya Pethablu —
Ramakrishna Temple.

Deputy Commissioner's Office, Hassan District.

Dated Hassan, 22nd January 1917.

From,

C. Venkata Rao Esquire, B.A.,
Offg. Deputy Commissioner,
Hassan District.

To,

D. M. Narasinga Rao Esquire, B.A., B.L.,
Secretary to the Government of
H.H. the Maharaja of Mysore,
General Department,
Bangalore.

Sir,

With reference to your letter No. 663/Muz. 163-16-2
dated 7-9-1916 forwarding for report, a petition from Archak
Ramaswamy Bhatta of Hole-Marsipur, appealing against the order
of this Office regarding his right to the Archakship of Sri Pat-
-labhi Ramaswamy temple at the place, I have the honor to state
as follows :-

2. In 1880, the respondent Narnabhatta applied for baraward
of the Archakship of the temple in question to be made in his name.
Necessary enquiries were instituted. The contending parties (1)
Narasimhabhatta (2) Narnabhatta and (3) Ramaswamybhatta filed
exhibits and cited witnesses in support of their respective claims.
On an examination of the documentary and oral evidences, it was
ascertained that the Archakship was acquired by Narnabhatta, the
grand father of the contending parties. When the temple was taken
under Government management in 1874, the baraward of the Office
was made in Shamabhatta's name. In 1885-86 he was succeeded by his
son Ramaswamibhatta (appellant). During the course of enquiry, it
was also ascertained that apart from the fact that the baraward
was held by a single person, the family was undivided and all the
contending parties were enjoying the Office jointly. In these cir-
-cumstances, the Muzrai Officer held that all the contending parties
had equal right in the Office and accordingly directed in his order
No. 469 dated 23-2-1890 that they should enjoy by turns. The parties

also

18/16-2

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(Vide Eng. No.
in the file)

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also agreed to do so and executed a mutchalika to that effect before the Amildar of Hole-Narsipur.

3. The matter was thus closed. But a dispute cropped up again in 1914, and the respondent Narnabhatta complained to the Amildar that the arrangements of 1889 had been abandoned by a partition having been effected in 1902 and that his cousins Narasimhabhatta and Ramaswamybhatta had violated the terms of the partition agreed to by them. He filed with his application a copy of the partition deed dated 24-8-1902 in support of his claim and prayed that the terms might be enforced. The Amildar of Hole-Narsipur after making necessary enquiries in the matter reported to the Sub Division Officer of Channaraipatna Sub Division that according to the partition entered into by the parties, the Archakship of the several temples of their hak were distributed among them permanently and that the Archakship of Sri Pattabhi Ramaswami temple fell to the lot of Ramaswamy Bhatta, who in return had to pay Rs 5-2-8 per mensem or Rs 62/- annually to make up the full share of Narnabhatta. The Sub Division Officer in transmitting the Amildar's report to this Office observed that as the partition deed had not been recognized by the Muzrai Department, it could not be taken into consideration at all. Accordingly the old order of things, i.e. each man to work by turns, was ordered to continue. Against this order Ramaswamybhatta has now appealed to Government.

4. With regards to the grounds of appeal urged by Ramaswamybhatta, it may be stated that the appellant has no doubt been the barawardar Archak of the temple of Sri Pattabhi Ramaswami since 1885-86. But there is nothing on record to shew that he has been in sole enjoyment of the Office continuously. The Muzrai Baraward of the temple maintained in the Taluk Office shews that since 1897 to 1911, he was paid for only 18 months; while Narnabhatta received pay for 21 months and Narasimhabhatta, another cousin of Ramaswamy
-Bhatta

Ramaswamybhatta for 18 months during the said period. It may be further observed that the appellant Ramaswamybhatta has deposed before the Amildar on 16-10-1914 that his cousins also have equal interest in the Office. In these circumstances, his denial of his cousin's claims to the Office is only contradictory his previous statements which cannot be accepted now.

29.0
seems to be
correct

5. As requested in your letter under reply, the order appealed against has been held in abeyance pending disposal of appeal before Government; and the two files of vernacular papers bearing on the subject are forwarded herewith for reference and obliging return.

I have the honor to be,

Sir,

Your most obedient servant,



Offg. Deputy Commissioner,

Hassan District.

K. M.

GEN. & REV. SECRETARIAT.
42
TYPING Sec.
5 MAY 1917

Before the Government of His Highness the
Maharaja of Mysore.

Appeal No. 11 of 1916-17

Appellant.

Vs

Respondent

Rama Swamibhatta of
Holenarasipur.

Nainabhatta of
Holenarasipur.

Subject.

Appeal against The order of the
Dy. Commr., Hassan Distt., regarding the right
to the Anchaship of Sri Patrabhirama Swami
~~and other and their~~
Temples at Holenarasipur.

order

The case was heard
before Jmt on 3rd Dec
1917, the parties being
represented through their
Advocates.

A perusal of the records
makes it clear that the
right to worship in all the
temples comprised in this
group belongs to the Tree

Cousins jointly, of whom
the appellant is one, the respondent
Namabhatta and one Narasimha
bhatta being the other two.
So far back as 1890, a
dispute arose between the
three cousins and it was then
decided that the worship
in the several temples should
be conducted by the three
cousins by turns of one
year each, as the right
to the same belongs to all
equally. This arrangement
continued undisturbed until
1914, when a similar dispute
as the previous one arose,
on the ground, that certain
arrangements, the parties
had entered into as between
themselves by virtue of a
Partition-deed said to have
been executed in 1902, had
not been given effect to by
the appellants. No notice need
be taken of this document
as it is a purely private
arrangement not recognised
by the authorities at the
time.

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

True, The baraward
of the Anchar stands
in the name of the appellant
as that of the Parpathegar
stands in the name of
the respondent. But there
are no orders for theming
to support these entries,
and by themselves, much
~~benefit~~^{weight-} cannot be
given to them. On the
other hand, the muzrai
baraward shows un-
mistakably that the en-
dowments attached to the
office of the Anchar have
been paid to all the
three cousins between
the years 1894 to 1911.
And the appellant has
also deposed before the
Amildar on 16th Oct 1911
that his two cousins have

an equal interest in the office.

In these circumstances the appellant has not made out his case and the appeal must fail.

memo ²⁸¹⁴ _{mes 181-16-4} Enfiled 11th May 1917

Copy of the above is forwarded
to the Dy. Commr,
Hassau Distt, with the observation
that the present arrangement
by which the three ems discharge
their duties of
Anchoh by annual rotation
in each of the institutions
comprised in the group is
a most unsatisfactory one.
The Dy. Commr is requested
to see if a more satisfactory
arrangement, by which, the
worship in each institution
is performed by one particular
individual only permanently

G. R. S. 27]

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

is not feasible by getting
the parties to come to an
amicable settlement
among themselves.

(2) The records are herewith
returned.

By order,

Secy

4-5-17

D. J. [Signature] Secretary

and

3/5/17

ప్రతివాడ డి.ఎస్.ఆర్.సి.వో
రక్షణ వ సురణ భద్రత
కార్యకర్తల పే.

B-o.

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He
4/17/17
Joint Secy. Secretary.
amir
3/17/17